

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-353-W/S - ORDER NO. 2005-109  
MARCH 9, 2005

IN RE:   Application of Lake Wylie Community                    )  
          Utilities, Inc. for Adjustment of Rates and            )  
          Charges for Water and Sewer Services.                )

ORDER GRANTING  
NIGHT HEARING

        This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request for a night hearing to be scheduled in the present docket. On December 7, 2004, Lake Wylie Community Utilities, Inc. (“Lake Wylie”, “Company” or “Applicant”) filed an Application with the Commission requesting approval of an adjustment in the Company’s rates and charges for water and sewer services provided to Lake Wylie’s customers in South Carolina. Following public notice of Lake Wylie’s Application, a request was filed by the Office of Regulatory Staff of South Carolina (“ORS”) on March 7, 2005, asking the Commission to schedule a night hearing with respect to Lake Wylie’s Application. ORS specifically requests that the night hearing be held at a location in York County, South Carolina.

        The ORS asserts that Lake Wylie provides water and sewer service to approximately 270 customers located in the Lake Wylie Mobile Home Park located in York County, South Carolina. According to the ORS, the ORS has received numerous telephone calls regarding the present case and a number of protest letters have been filed

with the ORS and the Commission. Based upon the expressed interest shown, ORS respectfully requests that a night hearing be scheduled in York County, South Carolina, where members of the public may be heard with respect to the pending Application of Lake Wylie.

Upon consideration of the request of the ORS, the Commission finds that a night hearing in this docket should be scheduled and held in the York County area. A night hearing will allow interested customers of Lake Wylie to appear and present testimony and evidence relevant to Lake Wylie's Application. The night hearing shall be scheduled in addition to the public hearing scheduled in this matter for Wednesday, April 27, 2005, to be held at 10:30 a.m. in the Commission's hearing room, Synergy Business Park, 101 Executive Center Drive, Columbia, South Carolina. The night hearing is being scheduled to provide a local forum for customers of Lake Wylie and other interested persons not already parties to the proceeding. Parties of record in this docket who have filed Petitions to Intervene and who seek to cross-examine witnesses of Lake Wylie will present their testimony and exhibits at the public hearing scheduled for April 27, 2005. Further, Lake Wylie will present the Company's witnesses and testimony and exhibits at the hearing scheduled to be held before the Commission in Columbia, South Carolina.

Upon consideration of the request for night hearing, the Commission makes the following findings:

### FINDINGS OF FACT

1. A hearing on the Applicant's request for an adjustment in rates and charges for the provision of water and sewer service is scheduled to be held in the Commission's hearing room located at 101 Executive Center Drive, Columbia, South Carolina on Wednesday, April 27, 2005, at 10:30 a.m.

2. The Applicant serves customers in Lake Wylie Mobile Home Park located in York County, South Carolina.

3. As evidenced by the ORS regarding the interest of customers in this proceeding, the customers of the Applicant are interested in the proceedings concerning the Applicant's request for an adjustment in rates and charges.

4. A night hearing on the Application to be held in York County, South Carolina would provide a convenient forum for the customers of the Applicant to provide evidence related to the Application to the Commission.

Based upon the above Findings of Fact, the Commission concludes as follows:

### CONCLUSIONS

1. Based upon customer interest in this proceeding, the Commission concludes that significant interest in the instant docket has been exhibited by customers who could be affected by the pending rate case Application.

2. The Commission concludes that a night hearing held in York County, South Carolina would allow interested customers to appear before the Commission to present evidence concerning the pending rate case Application.

3. The Commission concludes that a night hearing in York County, South Carolina would serve the public interest as such a night hearing would provide the customers affected by the rate Application a convenient forum in terms of location and time to appear before the Commission to present evidence related to the pending rate case Application.

IT IS THEREFORE ORDERED THAT:

1. A night hearing in the pending rate case Application filed by Lake Wylie Community Utilities, Inc. shall be held in York County, South Carolina.

2. The Commission Staff is directed to find a suitable location and date for the night hearing and shall provide notice of the night hearing to the parties in this docket and to the customers affected by the Application.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/  
Randy Mitchell, Chairman

ATTEST:

/s/  
G. O'Neal Hamilton, Vice Chairman

(SEAL)